

REMARKS

This application has been carefully reviewed in view of the above-referenced Office Action, and reconsideration is requested in view of the following remarks.

Drawings

Applicant has amended two sheets of the drawings to label Figures 4a and 5a, as disclosed on pages 19 and 20 of the application. Replacement sheets are accordingly provided herewith.

Regarding the Rejection of claim 38 under 35 U.S.C. §102

With regard to claim 38, Applicant notes with appreciation that the rejection to claim 38 has been withdrawn. A notice of allowance for this claim is now earnestly solicited.

Regarding the Rejections under 35 U.S.C. §103

With regard to claims 1 and 2, claim 1 as amended recites "...a current source coupled in series to the first microphone to provide a correct bias voltage to said first microphone...." It is clear from this recitation that the current source is operable to supply a bias voltage to the microphone in order to be able to power it. It is noted that the term "current source element" was amended to read "current source" following a conversation between undersigned and the Examiner this date, so that the distinction made immediately below, reiterated from the September 15, 2005 response, would be better reflected in the claims.

Murata, relied upon the show this aspect of the claimed invention because Douglas does not, is, conversely, a passive current device in that it can only take power from the power source that both it and the microphone are connected to. It cannot itself supply power to the microphone. Constant current circuit 26 is accordingly coupled in parallel to the microphone unit 27. Column 4, lines 5-22, for instance, describes that current circuit 26 has an infinite internal impedance, so that the load impedance of microphone unit 27 doesn't change even as control switch 25 closes. This causes the output level of the microphone unit 27 to remain constant.

Applicant has previously added the words "in series" to the claim, in the September 15, 2005 response, to clarify that the current source itself can provide the correct bias voltage to the

microphone. This is meant to clarify implicit meaning of the claim as filed, since, as discussed above, the current circuit of Murata cannot provide power to the microphone as it is connected in parallel with the microphone.

In light of the foregoing reasons, Applicant respectfully submits that the 103(a) rejections of claims 1 and 2, claims 3-12, and claims 35-37 have been overcome. It is noted that claims 2, 3-12 and 35-37 depend from claim 1. Moreover, with respect to claims 3-12, it is noted that the Mosely reference does not teach or anticipate a current source coupled to a microphone to provide a correct bias voltage to it and thus fails to cure the defect of the Murata reference discussed above. Similarly, with respect to claims 35-37, the Maruyama reference also fails to teach or anticipate a current source coupled to a microphone to provide a correct bias voltage to it and thus fails to cure the defect of the Murata reference discussed above.

Reconsideration and allowance of claims 1-2, 3-12 and 35-37 are respectfully requested at the Examiner's earliest convenience.

Allowable Subject Matter

Applicant notes with appreciation that claims 19, 20, 38, 40 and 41 are allowed over the art of record. Claims 13, 14, 16-18, 26-29, 31-34 and 42 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form. It is noted that these claims each ultimately depend from claim 1. Because it is believed that the 103 rejection of claim 1 has been overcome, Applicant respectfully declines to rewrite these allowable claims in independent form at this time, but does reserve the right to do so in the future if so desired.

Concluding Remarks

The undersigned additionally notes that other distinctions exist between the cited art and the pending claims. However, in view of the clear distinctions pointed out above, further discussion is believed to be unnecessary at this time. Failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position or an admission of any sort.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim unless an argument has been made herein that such amendment has been made to distinguish over a particular reference or combination of references.

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date. If further matters remain to be resolved, the undersigned respectfully requests the courtesy of an interview. The undersigned can be reached at the telephone number below.

Respectfully submitted,



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